

**IN THE UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**ORIX FINANCIAL SERVICES, INC., a  
New York corporation,**

**Plaintiff,**

**V.**

**EARNEST CHAPMAN, an individual,**

**Defendant.**

**Case No. CV-05- 1233-MEF**

**REPORT OF PLANNING MEETING**

COMES NOW, the Parties in the above styled case, and pursuant to this Honorable Court's order of February 15, 2006, and respectfully submits the following in compliance with the Court's Rule 26(f) order:

For the Plaintiff, ORIX Financial Services:

Von G. Memory, Esq.  
Memory & Day  
P.O. Box 4054  
Montgomery, AL 36013  
Tel (334) 834-8000

For the Defendant, Earnest Chapman:

Harry P. Long, Esq.  
P.O. Box 1468  
10 W 11th Street, Suite 2A  
Anniston, AL 36202  
Tel (256) 237-3266

1. BENCH TRIAL. This civil action should be ready for trial on or after November 1, 2006. It is expected that a trial will last approximately one (1) day.

2. PRETRIAL CONFERENCE. The parties request a pretrial conference, September 30, 2006.

3. DISCOVERY PLAN. Counsel for Plaintiff proposes to the court the following discovery plan:

All discovery shall commence and be completed on or before September 30, 2006. Also, reference and attention should be directed to the limits contained in item 8.

4. INITIAL DISCLOSURES. The parties shall exchange, prior to June 30, 2006, the information required by Fed. R. Civ. P. 26(a)(1).

5. ADDITIONAL PARTIES AND OTHER AMENDMENTS. The parties shall have until July 15, 2006, to amend the pleadings and join or add additional parties.

6. EXPERTS. The Plaintiff shall name its experts and advance Rule 26 information on or before July 15, 2006. The Defendants shall name their experts and advance Rule 26 information on or before August 15, 2006.

7. PRETRIAL DISCLOSURES. The parties shall exchange their final lists of witnesses and exhibits under Rule 26(a)(3) on or before September 15, 2006.

8. DISCOVERY LIMITS.

A maximum of 40 interrogatories by each party to any other party. Responses are due 30 days after service.

A maximum of 5 depositions by plaintiffs and 5 each by the defendants. Each deposition limited to maximum of 3 hours unless extended by agreement of parties.

A maximum of 20 requests for admission by each party to any other party are allowed. Responses are due 30 days after service.

A maximum of 30 requests for production of documents by each party to any other party are allowed. Responses are due 30 days after service.

9. DISPOSITIVE MOTIONS. All potentially dispositive motions are due on or before September 15, 2006.

10. SETTLEMENT. The parties are currently not discussing settlement. Also, the Plaintiff agree to ADR

Respectfully submitted this the 10<sup>th</sup> day of March 2006.

/s/James L. Day  
James L. Day, Esq.  
ASB-1256-A55J

Von G. Memory, Esq.  
ASB-8137-071V

Attorneys for Plaintiff  
Post Office Box 4054  
Montgomery, AL 36103-4054  
(334) 834-8000

Harry P. Long, Esq.  
Attorney for Defendant  
P.O. Box 1468  
10 W 11th Street, Suite 2A  
Anniston, AL 36202  
Tel (256) 237-3266